

29. (new) The toothbrush according to claim 13 wherein the width of the rib decreases from an end on the side of the channel to an end on the side of the block head.

30. (new) The toothbrush according to claim 13 further comprising a plate disposed at and attached to the block head, wherein bristles of the brush protrude from the plate.

REMARKS

Claims 6, 7, 9, 11 through 14 continue to be in the case.

Claims 1 to 5, 8 and 10 are being cancelled.

Claims 15 through 25 remain unentered.

New claims 26 through 30 are being introduced.

New claim 26 is based on claim 6

New claims 27 is based on claim 7.

New claim 28 is based on claim 9.

New claim 29 is based on claim 11.

New claim 30 is based on claim 14.

The Office Action refers to Response to Amendment

Various amendments could not be entered. The Applicant's instruction to replace the first paragraph on page 8 was not entered because the amended paragraph did not match the first paragraph on page 8 (it did match the first paragraph on page 7). The Applicant's instruction to replace the second paragraph on page 8 and the third paragraph on page 9 was not entered because the entire paragraph (even if the paragraph carries over to another page) should be reproduced.

These amendments need to be re-filed in the proper format.

As requested in the Office Action, the present amendment furnishes certain corrections to the specification.

The Office Action refers to the Specification

The disclosure is objected to because of the following informalities: Because the above amendments could not be entered, the objections to the specification given in the previous office action remain in force.

Appropriate correction is required.

The present amendment is believed to contain an appropriate correction.

The Office Action refers to Claim Rejections - 35 USC § 112

Claim 7 stands rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim contains subject matter which was not described in the specification in such a way as to reasonably convey to

one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The newly added language "wherein the hinge is separated into block head and case prior to brushing the teeth" is considered to be new matter, i.e., the original specification did define a hinge which can be separated "into block head and case".

The present amendment strikes the objectionable language from claim 7.

The Office Action refers to Claim Rejections - 35 USC § 102.

Claims 5, 6 and 14 remain rejected under 35 U.S.C. 102(b) as being anticipated by Tuseth. In regard to claim 5, Tuseth discloses a toothbrush comprised of a "structurally stiffened" handle 12 (viewing Figures 1-3, the thickened area of the handle "structurally stiffens" the handle), a block head 13, a brush 16 attached to the block head and a case 23 attached to the block head for enclosing the brush. In regard to claim 6, toothpaste (disposed in sack 17) is positioned at the bottom of the case. In regard to claim 14, a plate 15 is disposed on the block head 13 wherein the bristles protrude therefrom.

The present amendment cancels claim 5.

The present amendment makes claims 6 and 14 dependent on allowable claim 12.

The Office Action refers to Claim Rejections - 35 USC § 103

Claims 8-11 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Tuseth in view of Levin. Although the Tuseth reference does not disclose the structure of the handle 12, attention is directed to the Levin reference, which discloses another toothbrush wherein the handle includes an "elongated" channel having braces 30, 36 extending perpendicularly thereto and a rib 18 extending in the direction of the channel and perpendicular to a "floor" 46 of the channel wherein the rib connects the block head 12 and the "bottom" of the channel. Further, the width of the rib decreased from the channel to the block head. Such a handle renders the toothbrush safe in that the handle

cannot be sharpened. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to form the handle in the Tuseth device as such in order to prevent the handle from being sharpened.

The present amendment cancels claims 8 and 10 .

The present amendment makes claims 9 and 11 dependent on allowable claim 12.

The Office Action Refers to Allowable Subject Matter.


Claims 12 and 13 are allowed.

Applicant very much appreciates the indication of allowability of claims 12 and 13.

Reconsideration of all outstanding rejections is respectfully requested.

Entry of the present response is respectfully requested. All claims as submitted are deemed to be in form for allowance and an early notice of allowance is earnestly solicited.

Respectfully submitted,
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